



# Legal Update

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**December 2015**

***An Act Relative to the False Representation of Military Status***

***Chapter 128 of the Acts of 2015 was enacted into law on November 23, 2015.***

Chapter 272 of the General Laws is hereby amended by adding the following section:-

Section 106. (a) A person commits the crime of stolen valor if that person knowingly, with the intent to obtain money, property or any other tangible benefit:

(i) fraudulently represents such person to be an active member or veteran of the United States Navy, Army, Air Force, Marines or Coast Guard, including armed forces reserves and National Guard through the unauthorized manufacture, sale or use of military regalia or gear, including the wearing of military uniforms, or the use of falsified military identification and obtains money, property or another tangible benefit through such fraudulent representation; or

(ii) fraudulently represents such person to be a recipient of the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon or Air Force Combat Action Medal and obtains money, property or another tangible benefit through such fraudulent representation.

**For specific guidance on the application of these cases or any law, please consult with your supervisor or your department's legal advisor or prosecutor.**

(b) Any person who commits the crime of stolen valor shall be punished by imprisonment in a house of correction for not more than 1 year or by a fine of \$1,000, or both such fine and imprisonment.

**Commentary:** The new act which became effective on November 23, 2015, is stricter than the federal law. Additionally, anyone charged with this misdemeanor faces a \$1,000 fine or a year in the House of Corrections.

**For specific guidance on the application of these cases or any law, please consult with your supervisor or your department's legal advisor or prosecutor.**